

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

TYISHAWN JONES,

Defendant.

20-CR-693 (CS)

ORDER

CATHY SEIBEL, District Judge:

On January 13, 2022, Defendant Tyishawn Jones was sentenced principally to a term of imprisonment of 51 months for his conviction for possession of a defaced firearm. (ECF No. 23.)

The Probation Department has determined that Defendant is eligible for an adjustment of his sentencing guidelines range based on Amendment 821 to the Sentencing Guidelines. (ECF No. 24.) That Amendment eliminated the provision that applied two criminal history points for committing the instant offense while under supervision for a previous conviction, and was made retroactive pursuant to U.S.S.G. § 1B1.10(d).

On December 27, 2023, I directed the Government to state its position no later than January 4, 2024, and directed Defendant's counsel to respond on Defendant's behalf by January 18, 2024 if the Government opposed a sentence reduction. (ECF No. 25.) On January 4, 2024, the Government advised that it did not oppose the reduction. (ECF No. 26.)


Defendant's original Sentencing Guidelines range was 57-60 months, based on an offense level of 21 and a criminal history category of IV. His Guidelines range would now be 46-57 months, based on an offense level of 21 and a criminal history category of III.

I have considered the record in this case and the factors set forth in 18 U.S.C. § 3553(a), as required by 18 U.S.C. § 3582(c). While Defendant's conduct in possessing a firearm was inexcusable, especially because he was on parole for a previous weapons offense, his Guidelines range would be lower if he were sentenced today, he is less likely to reoffend given his physical limitations after being shot, and he can expect much more prison time should he violate his conditions of supervised release.

It is therefor ORDERED that the defendant's term of imprisonment is reduced to 46 months' imprisonment, effective February 1, 2024. All other components of the sentence remain as originally imposed.

SO ORDERED.

Dated: January 5, 2024  
White Plains, New York

  
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CATHY SEIBEL, U.S.D.J.